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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John Kevin COLLINS et al

Serial No.: 09/903690

Group Art Unit: 3736

Filed: July 13, 2001

For: IN VITRO MODEL FOR GASTROINTESTINAL INFLAMMATION

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
Washington, DC 20231

Sir:

As a means of complying with the duty of disclosure under 37 CFR §1.56, and in accordance with 37 CFR §§1.97 and 1.98, Applicant(s), through the undersigned attorney, submits this Information Disclosure Statement. The patents, publications or other information submitted herewith are listed on the attached Form PTO-1449 and copies are attached.

The documents listed on the attached Form PTO-1449 were cited in the International Search Report. A copy of the ISR is attached.

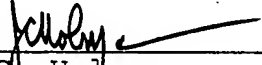
In accordance with 37 CFR §1.97(b)(1) or (2), this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, or within three months of the date of entry into the national stage of the

above-identified application as set forth in 37 CFR §1.491.
Accordingly, no fee is required.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By:



John C. Holman
Registration No. 22,769

400 Seventh Street, N.W.
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Atty. Dkt. No.: P66880US0
Date: October 15, 2001

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 G01N C12Q A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, MEDLINE, BIOSIS, EMBASE, LIFESCIENCES, CANCERLIT, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	SOTO A ET AL: "Cytokine release and mitogenic activity in the viridans streptococcal shock syndrome." CYTOKINE, vol. 10, no. 5, May 1998 (1998-05), pages 370-376, XP000929269 ISSN: 1043-4666 the whole document -/-	1-17

☒ Further documents are listed in the continuation of box C.☐ Patent family members are listed in annex

* Special categories of cited documents:

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E earlier document but published on or after the international filing date

L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

O document referring to an oral disclosure, use, exhibition or other means

P document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

8 document member of the same patent family

Date of the actual completion of the international search

24 July 2000

Date of mailing of the international search report

10/08/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Moreau, J

Category *	Citation of document, with in- where appropriate, of the relevant passages	Relevant to claim No.
A	<p>ARNOLD R ET AL: "Cytokine (IL-8, IL-6, TNF-alpha) and soluble TNF receptor-I release from human peripheral blood mononuclear cells after respiratory syncytial virus infection." IMMUNOLOGY, vol. 85, no. 3, 1995, pages 364-372, XP002143230 ISSN: 0019-2805 the whole document</p>	1
A	<p>MCKAY D M ET AL: "T cell-monocyte interactions regulate epithelial physiology in a coculture model of inflammation." AMERICAN JOURNAL OF PHYSIOLOGY, (1996). 270 (2 PT. 1):C418-28. ISSN: 0002-9513., XP000929273 the whole document</p>	1

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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.: P66880US0 GROUP ART UNIT: 3736
 SERIAL NO.: 09/903690 FILING DATE: July 13, 2001
 APPLICANT(S): COLLINS et al TODAY'S DATE: October 15, 2001

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE (If Appropriate)
	AA					
	AB					
	AC					
	AD					
	AE					

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION (YES) (NO)
	AL					
	AM					
	AN					
	AO					

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	Soto et al, CYTOKINE, Vol. 10, No. 5, "Cytokine release and mitogenic activity in the viridans...", pgs. 370-376, May 1998
AS	Arnold et al, IMMUNOLOGY, Vol. 85, No. 3, "Cytokine (IL-8, IL-6 TNF-alpha) and soluble TNF receptor-I...", pgs. 364-372, 1995
AT	McKay et al, AMER. JOURNAL OF PHYSIOLOGY, "T cell-monocyte interactions regulate epithelial...", pgs. C418-C428, 1996

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John Kevin COLLINS et al

Serial No.: 10/173577

Group Art Unit: 1645

Filed: June 18, 2002

For: IN VITRO MODEL FOR GASTROINTESTINAL
INFLAMMATION

SECOND INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
Washington, DC 20231

Sir:

As a means of complying with the duty of disclosure under 37 CFR §1.56, and in accordance with 37 CFR §§1.97 and 1.98, Applicant(s), through the undersigned attorney, submits this Information Disclosure Statement. The patents, publications or other information submitted herewith are listed on the attached Form PTO-1449 and copies are attached.

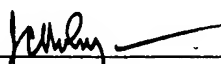
The documents listed on the attached Form PTO-1449 are discussed in the present specification.

In accordance with 37 CFR §1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits of the above-identified application.

Respectfully submitted,

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Date: March 10, 2003

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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.: P66880US1 GROUP ART UNIT: 1645
SERIAL NO.: 10/173577 FILING DATE: June 18, 2002
APPLICANT(S): COLLINS et al TODAY'S DATE: March 10, 2003

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE If Appropriate)
AA	5026649	06/25/91	Lyman et al	435	297	
AB	5139951	08/18/92	Butz et al	435	297	
AC	5272083	12/21/93	Butz et al	435	401	

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DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES) (NO)
AD WO98/35014	08/13/98	WIPO			

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AE	Kupper, J. CLIN. INVEST., Vol. 86, Dec. 1990, pgs. 1783-1789, Immune and Inflammatory Processes in Cutaneous Tissues
AF	Brandes et al, JOUR OF IMMUNOLOGY, Vol. 147, No. 5, pgs. 1600-1606, Sept. 1, 1991, Type I Transforming Growth Factor- β ...
AG	Springer, SCAND J IMMUNOL. 32, pgs. 211-216, 1990, Editorial Discussion
AH	Baggiolini et al, INT J IMMUNOPHARMAC, Vol. 17, No. 2, pgs. 103-108, 1995, Interleukin-8 and the Chemokine Family
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AJ	Dinarello et al, REV OF INF DISEASES, Vol. 10, No. 1, Jan/Feb 1988, pgs. 168-189, New Concepts on the Pathogenesis of Fever

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s)

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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.: P66880US1 GROUP ART UNIT: 1645
SERIAL NO.: 10/173577 FILING DATE: June 18, 2002
APPLICANT(S): COLLINS et al TODAY'S DATE: March 10, 2003

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AO Marietta et al, EUR J IMMUNOL. 26, 1996, pgs. 49-56, Modulation
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of death in cancer patients

AV Van Eys, NUTRITION REVIEWS, Vol. 40, No. 12, Dec 1982, pgs. 353-
359, Nutrition and Neoplasia

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s)

Notice of References Cited	Application/Control No. 09/903,690	Applicant(s)/Patent Under Reexamination COLLINS ET AL.	
	Examiner Khatol S Shahnan-Shah	Art Unit 1645	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Anton, P. et al., " Mucosal Subepithelial Binding Sites for Bacterial Chemotactic Peptide",Gut, Vol. 42 pp. 374-379, 1998.
	V	Collins et al. , " Probiotics and Man",Gastroenterology Vol. 116, No.4, G2982, April 1999.
	W	Dunne et al., " Epithelial Adhesion of Probiotic Microorganisms In Vitro And In Vivo,Gastroenterology Vol. 116, No.4, G3058, April 1999.
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notice of References Cited

Application/Control No.

10/173,577

Applicant(s)/Patent Under

Reexamination

COLLINS ET AL

Examiner

Khatol S Shahnan-Shah

Art Unit

1645

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-US6537764B1	03-2003	Gerard et al.	435/7.21
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

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	U	Anton, P. et al., " Mucosal Subepithelial Binding Sites for Bacterial Chemotactic Peptide",Gut, Vol. 42 pp. 374-379, 1998.
	V	Collins et al. , " Probiotics and Man",Gastroenterology Vol. 116, No.4, G2982, April 1999.
	W	Dunne et al., " Epithelial Adhesion of Probiotic Microorganisms In Vitro And In Vivo,Gastroenterology Vol. 116, No.4, G3058, April 1999.
	X	

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